

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: STEPHANIE BUTLER	:	Chapter 13
	:	
Debtor.	:	Bankruptcy No. 19-13308 [MDC]
	:	

OBJECTION TO CONFIRMATION OF 2nd AMENDED CHAPTER 13 PLAN

The United States of America, on behalf of its agency, the Internal Revenue Service (“the Service”), moves that the debtor’s plan be denied confirmation pursuant to 11 U.S.C. §§ 1322(a)(2), 1324, and 1325(a)(5), and Fed. R. Bankr. P. 3015(f) (hereinafter all statutory references are to the Bankruptcy Code unless otherwise stated). In support thereof, the United States alleges:

1. The debtor filed a bankruptcy petition seeking relief under Chapter 13 on or about May 22, 2019.
2. The debtor filed a Chapter 13 plan on or about June 5, 2019.
3. The Internal Revenue Service filed an amended proof of claim on June 27, 2019.
4. The amended proof of claim set forth, *inter alia*, a secured claim in the amount of \$36,655.00.
5. On December 4, 2019, the debtor filed a first amended Chapter 13 plan.
6. The first amended Chapter 13 plan did not provide for the Service’s secured claim.
7. On April 6, 2020, the debtor filed a second amended Chapter 13 plan.
8. Like the first plan, the second amended Chapter 13 plan did not provide for the Service’s secured claim either.
9. The Service’s secured claim must be fully paid in equal monthly installments over the life of the plan, along with post-confirmation interest in accordance with 11 U.S.C.

§ 1325(a)(5).

10. The debtor has not filed an amended plan to provide for the Service's claims as set forth herein above.

11. The second amended plan should not be confirmed because it is not feasible.

WHEREFORE, the United States respectfully requests that confirmation of the debtor's second amended plan be denied.

Respectfully submitted,

WILLIAM M. McSWAIN
United States Attorney

/s/Richard M. Bernstein

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Dated: April 28, 2020

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused a true and correct copy of the foregoing
OBJECTION TO CONFIRMATION OF 2nd AMENDED CHAPTER 13 PLAN to be served
electronically upon the debtor's counsel, the United States Trustee, and the Chapter 13 trustee on
April 28, 2020.

/s/ Richard M. Bernstein
RICHARD M. BERNSTEIN
Assistant United States Attorney

Dated: April 28, 2020

